GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA

UNSTARRED QUESTION NO:4530
ANSWERED ON:29.03.2017
Model Code of Conduct
Reddy Shri Ch. Malla

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether politicians get away while campaigning and making hate speeches and if so, the reasons therefor;
(b) whether the poll panel lacks teeth to implement the model code of conduct and if so, the steps being taken in this regard;
(c) whether the Government is mulling to link the model code of conduct to the criminal code and procedures to ensure that campaigns are conducted without prejudices; and
(d) if so, the time by which it is likely to be done and if not, the reasons therefor?

Answer

ANSWER

MINISTER OF STATE FOR LAW AND JUSTICE AND ELECTRONICS AND INFORMATION TECHNOLOGY
(SHRI P.P.CHAUDHARY)

(a) and (b): The Election Commission has informed that it is not correct to say that the politicians get away while campaigning and using hate language speech. The Commission constantly monitors the utterances of political representatives/candidates during election campaign, which may incite hatred or disharmony among communities and are in violation of Model Code of Conduct and/or law. Any case of violation is dealt with, by issuing notices to the violators concerned for such utterances. After considering their reply, the Commission passes appropriate orders. If need be, cases under relevant section of Indian Penal Code and the Representation of People Act, 1951 are also filed.

(c) and (d): Some instances of violations provided in the Model Code of Conduct are offences under Indian Penal Code and Representation of the People Act, 1951. Violation of such offences may attract action under the relevant laws.